

Adam P. Segal, Esq.  
Nevada Bar No. 6120  
Christopher M. Humes, Esq.  
Nevada Bar No. 12782  
BROWNSTEIN HYATT FARBER SCHRECK, LLP  
100 North City Parkway, Suite 1600  
Las Vegas, Nevada 89106  
Telephone: (702) 382-2101  
Facsimile: (702) 382-8135  
Email: asegal@bhfs.com  
Email: chumes@bhfs.com

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

BOARD OF TRUSTEES OF THE  
CONSTRUCTION INDUSTRY AND  
LABORERS JOINT PENSION TRUST  
FOR SOUTHERN NEVADA and THE  
CONSTRUCTION INDUSTRY AND  
LABORERS JOINT PENSION TRUST  
FOR SOUTHERN NEVADA

Plaintiffs,

vs.

RECREATION DEVELOPMENT  
COMPANY, LLC a Nevada limited liability  
company,

Defendant.

Case No.

**COMPLAINT**

Plaintiffs allege:

**JURISDICTION AND VENUE**

1. The claim at issue in this Complaint presents a present, actual, and justiciable controversy arising under federal law.

2. The Court has subject matter jurisdiction under 28 U.S.C. § 1331 (federal question), and 29 U.S.C. § 1401(b)(1).



**SOLE CAUSE OF ACTION**

**(Judgment for Withdrawal Liability)**

13. Plaintiffs hereby incorporate the allegations contained in paragraphs 1 to 12 as though fully set forth herein.

14. This dispute is a case of actual controversy within this Court's jurisdiction.

15. The Pension Trust provided RDC with a withdrawal liability assessment, and RDC has failed to make the required payments. The Pension Trust gave RDC a 60-day period to cure the default, but RDC has failed to do so.

16. Due to RDC's failure to make payments on the schedule set by the Pension Trust, Plaintiffs seek a judgment for the entire assessed withdrawal liability amount, as well as interest, liquidated damages, and attorney's fees.

**WHEREFORE**, Plaintiffs pray for relief as follows:

1. A judgment in favor of the Pension Trust awarding the entire withdrawal liability owed by RDC, interest, liquidated damages, and attorney's fees; and

2. For such other and further relief as the Court deems proper.

Dated: January 11, 2022.

BROWNSTEIN HYATT FARBER SCHRECK, LLP

/s/ Christopher M. Humes

Adam P. Segal, Esq.

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100 North City Parkway, Suite 1600

Las Vegas, Nevada 89106-4614

Telephone: (702) 382-2101

Facsimile: (702) 382-8135

Attorneys for Plaintiffs